

**Acknowledgment and  
Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**

Ent 154885 N 570 P 923  
Date: 15-MAY-2008 2:59PM  
Fee: None  
Filed By: RDH  
REED D HATCH, Recorder  
SANPETE COUNTY CORPORATION  
For: GOVERNOR STATE OF UTAH

23, 26, 27, 33, 34 - 14-3E

**THE STATE OF UTAH**

**TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:**

**Know ye,** This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Sanpete County as it pertains to the highway located in Sanpete County known as APPLE TREE ROAD; County Road Number: Sanp99; State Geographic Information Database (SGID) Road Identification Number: RD200287. Total road length is 3.38 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 17<sup>th</sup> day of April, 200 8.

By the Governor's Designee

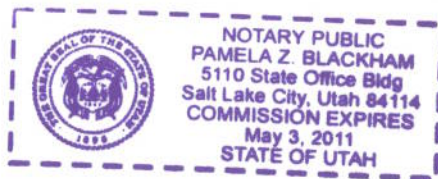
  
\_\_\_\_\_  
John Harja


### CERTIFICATION

State of Utah                     )  
  : ss  
County of Salt Lake         )

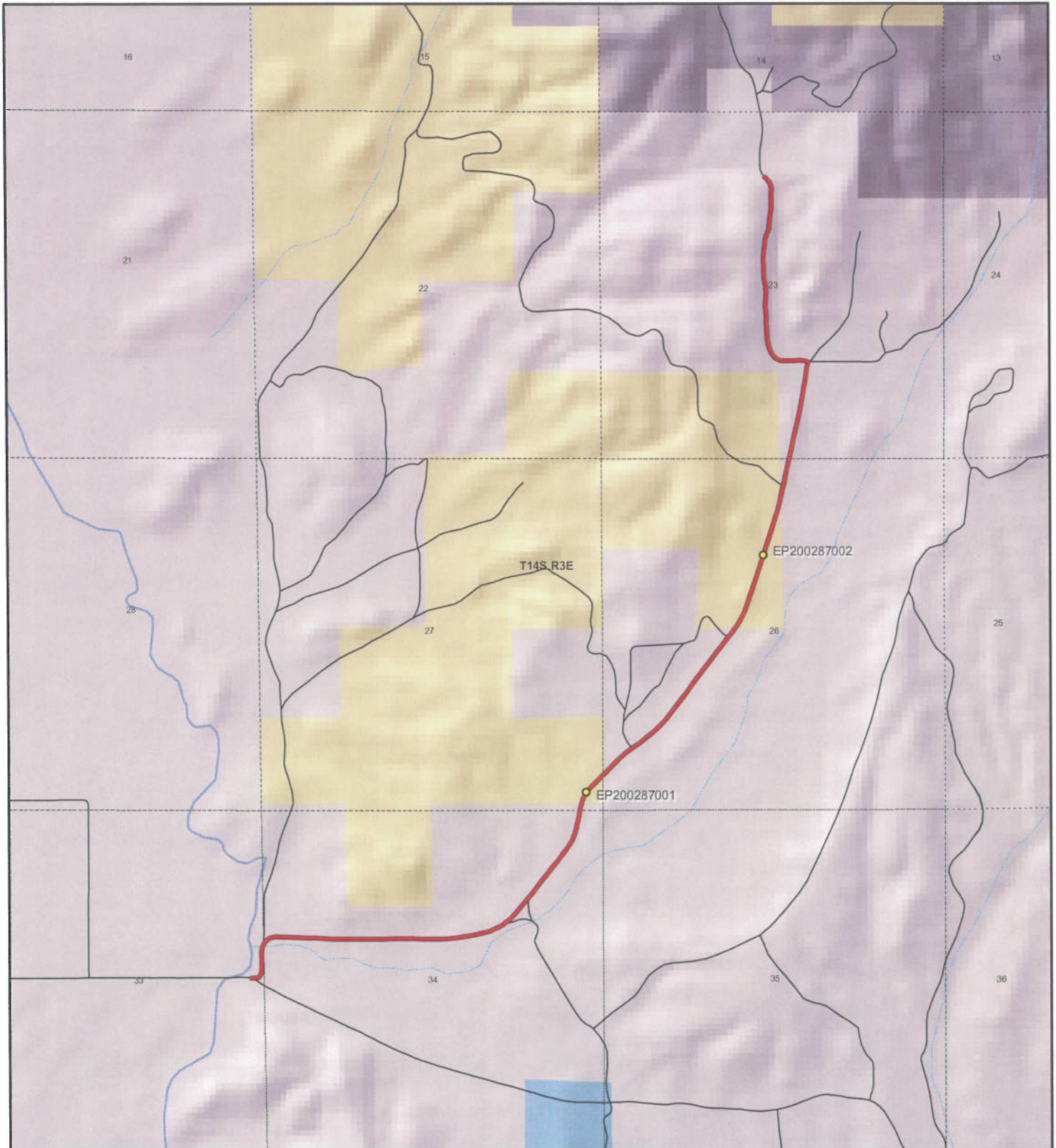
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 17<sup>th</sup> day of April, 200 8.



  
\_\_\_\_\_  
Notary Public





<p>1:23,764 1 inch equals 0.4 miles</p>	<p align="center"><b>APPLE TREE ROAD - Sanpete County</b> <b>SGID RD_ID RD200287</b></p> <table border="0"> <tr> <td> <p><b>Land Ownership Categories</b></p> <ul style="list-style-type: none"> <li>● BLM</li> <li>● Private</li> <li>● SITLA, State Trust Land</li> <li>● USFS, National Forest</li> <li>● State Parks and Recreation</li> <li>● Tribal, Indian Reservation</li> <li>● NPS, National Park</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>● Wilderness</li> <li>● UDWR Wildlife Reserve</li> <li>● DOD, Military</li> <li>● State Sovereign Land</li> <li>● National Recreation Area</li> <li>● USFWS, Natl. Wildlife Refuge</li> </ul> </td> <td> <p><b>Transportation Network</b></p> <ul style="list-style-type: none"> <li>— APPLE TREE ROAD</li> <li>— Title V, Issued Or Under Consideration By BLM Or County</li> <li>— Other Roads</li> <li>● Photo Event Point</li> <li>□ Section = 1 Mile</li> </ul> </td> </tr> </table>	<p><b>Land Ownership Categories</b></p> <ul style="list-style-type: none"> <li>● BLM</li> <li>● Private</li> <li>● SITLA, State Trust Land</li> <li>● USFS, National Forest</li> <li>● State Parks and Recreation</li> <li>● Tribal, Indian Reservation</li> <li>● NPS, National Park</li> </ul>	<ul style="list-style-type: none"> <li>● Wilderness</li> <li>● UDWR Wildlife Reserve</li> <li>● DOD, Military</li> <li>● State Sovereign Land</li> <li>● National Recreation Area</li> <li>● USFWS, Natl. Wildlife Refuge</li> </ul>	<p><b>Transportation Network</b></p> <ul style="list-style-type: none"> <li>— APPLE TREE ROAD</li> <li>— Title V, Issued Or Under Consideration By BLM Or County</li> <li>— Other Roads</li> <li>● Photo Event Point</li> <li>□ Section = 1 Mile</li> </ul>	<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Aug 24, 2007</p> <div style="display: flex; justify-content: space-around;">   </div>
<p><b>Land Ownership Categories</b></p> <ul style="list-style-type: none"> <li>● BLM</li> <li>● Private</li> <li>● SITLA, State Trust Land</li> <li>● USFS, National Forest</li> <li>● State Parks and Recreation</li> <li>● Tribal, Indian Reservation</li> <li>● NPS, National Park</li> </ul>	<ul style="list-style-type: none"> <li>● Wilderness</li> <li>● UDWR Wildlife Reserve</li> <li>● DOD, Military</li> <li>● State Sovereign Land</li> <li>● National Recreation Area</li> <li>● USFWS, Natl. Wildlife Refuge</li> </ul>	<p><b>Transportation Network</b></p> <ul style="list-style-type: none"> <li>— APPLE TREE ROAD</li> <li>— Title V, Issued Or Under Consideration By BLM Or County</li> <li>— Other Roads</li> <li>● Photo Event Point</li> <li>□ Section = 1 Mile</li> </ul>			

Attachment 2



EP200287001



EP200287002

EP000000000

EP000000000

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EP000000000

**APPLE TREE ROAD - Sanpete County**  
**SGID RD\_ID RD200287**

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 July 31, 2007



### **Attachment 3**

#### **Beginning & Ending Points and Township, Range, and Section References For:**

**Popular Name: APPLE TREE ROAD**

**County: Sanpete**

**County Road Number: Sanp99**

**State Geographic Information Database (SGID) Road Identification Number: RD200287.**

**Total Road Length: 3.38 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 33 minutes 025.5 seconds North Latitude and -111 degrees 35 minutes 02.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,616,716.4 feet and Y = 7,007,408.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 35 minutes 26.59 seconds North Latitude and -111 degrees 33 minutes 23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,624,526.3 feet and Y = 7,019,653.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 14 South Range 3 East, Section(s) 23,26,27,33,34, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.



**Attachment 4**  
**Road Centerline Description Cover Page(s)**

**Popular Name: APPLE TREE ROAD**

**County: Sanpete**

**County Road Number: Sanp99**

**State Geographic Information Database (SGID) Road Identification Number: RD200287.**

**Total Road Length: 3.38 miles more or less.**

**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).**

<b>Road-Segments Listed by SGID Road Identification Number (RD ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD200287</b>	<b>001</b>	<b>PVT</b>	<b>1.26 Miles</b>	<b>(not shown)</b>
<b>RD200287</b>	<b>002</b>	<b>BLM</b>	<b>0.1 Miles</b>	<b>A</b>
<b>RD200287</b>	<b>003</b>	<b>PVT</b>	<b>0.57 Miles</b>	<b>(not shown)</b>
<b>RD200287</b>	<b>004</b>	<b>BLM</b>	<b>0.4 Miles</b>	<b>B</b>
<b>RD200287</b>	<b>005</b>	<b>PVT</b>	<b>1.05 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>3.38</b>	<b>_____</b>

\* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

## Attachment 5

**AFFIDAVIT OF REED F. CHRISTENSEN**

**APPLE TREE ROAD**

**COUNTY ROAD NUMBER Sanp99**

**SANPETE COUNTY, UTAH**

State of Utah            )  
                                  : ss.  
County of Sanpete        )

REED F. CHRISTENSEN, being first duly sworn, deposes and states as follows:

1.       I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Moroni, Sanpete County, Utah. I have lived in Sanpete County for 48 years.

2.       I have traveled and am familiar with a road in Sanpete County known as Apple Tree Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2005 when I last observed it. Attached is a Sanpete County map showing Apple Tree Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. I am informed that the County also identifies this road according to the road number listed above.

3.       I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by various means, including cars, pick-up trucks, livestock equipment, ATVs, motorcycles, semi-tractor trailers, farm tractors, road construction and road maintenance equipment. Throughout this time period, the road was used daily.



4. Throughout the time period from the early 1950s to 2005, I have used the road myself for recreation such as hunting, poultry operations, sight-seeing and traveling in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus livestock operations, oil and gas exploration, private land access, government access and wood gathering.

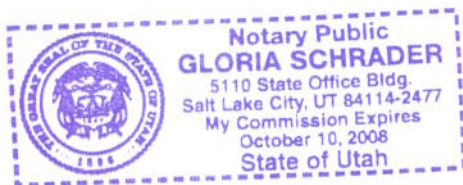
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed the graded surface of the road.

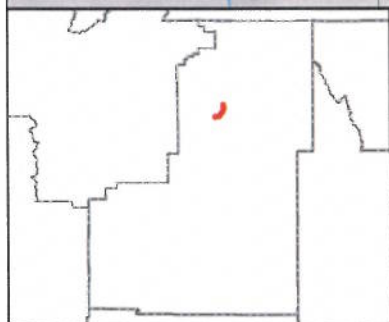
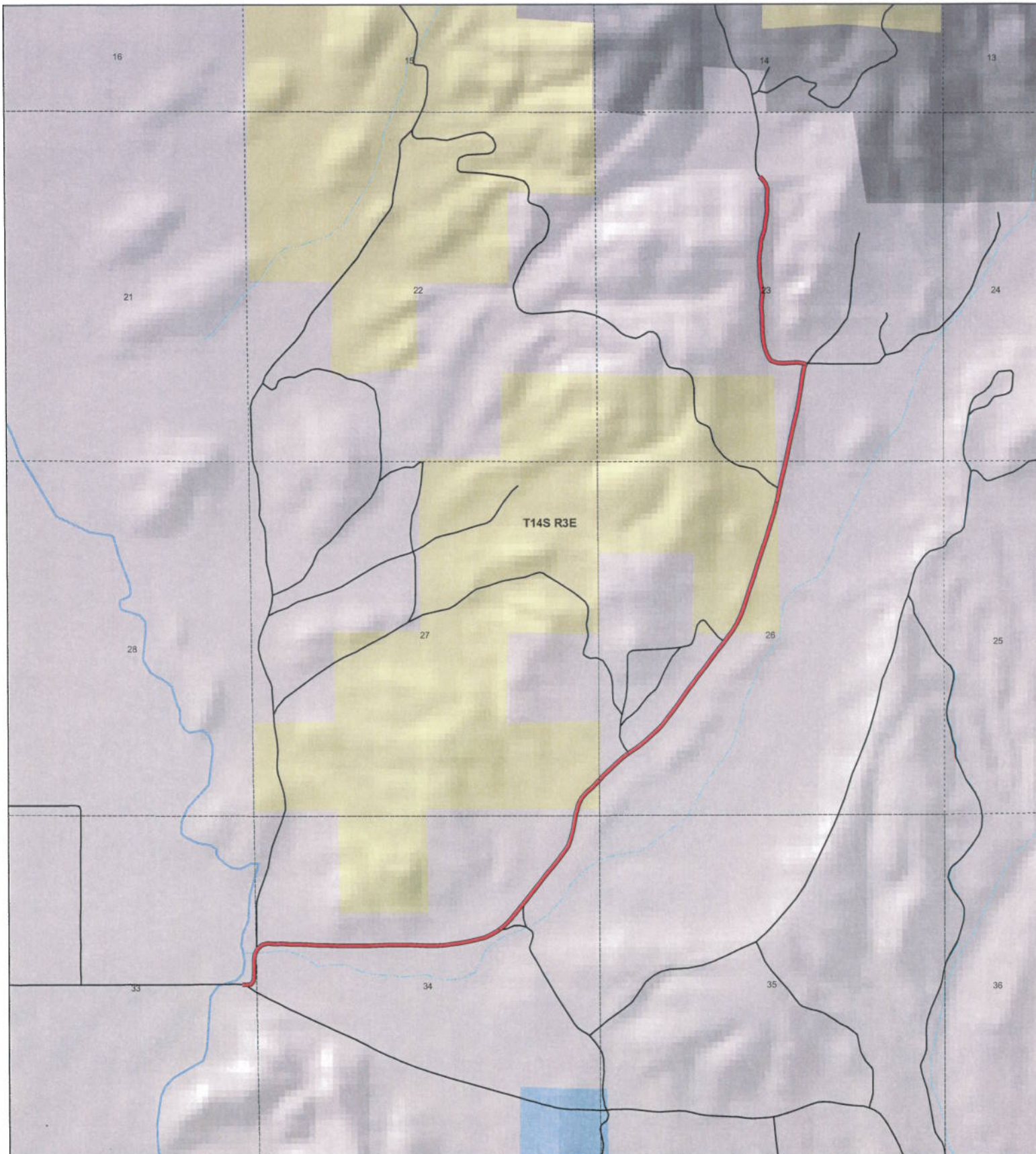
DATED this 15 day of March, 2007.

  
REED F. CHRISTENSEN

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of March, 2007.



  
NOTARY PUBLIC



### APPLE TREE ROAD County Unique - Sanp99

#### Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Military

#### Transportation Network

- APPLE TREE ROAD
- State / U.S. Highway
- Local Roads

#### Misc

- City / Town
- Municipalities



1:23,455  
1 inch equals 0.4 miles



Map prepared by the State of Utah  
AGRC  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Feb 08, 2007



Ent 154885 Bk 0570 Pg 0932



**AFFIDAVIT OF LEONARD M. BLACKHAM**

**APPLE TREE ROAD**

**COUNTY ROAD NUMBER Sanp99**

**SANPETE COUNTY, UTAH**

State of Utah            )  
                                  : ss.  
County of Salt Lake )

LEONARD M. BLACKHAM, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Sanpete County, Utah. I have lived in Sanpete County for 57 years. I was a Sanpete County Commissioner from 1986 to 1990.

2. I have traveled and am familiar with a road in Sanpete County known as Apple Tree Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1965, it followed the same route as in 2006 when I last observed it. Attached is a Sanpete County map showing Apple Tree Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. I am informed that the County also identifies this road according to the road number listed above.

3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1965 continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including cars, pick-up trucks, livestock equipment, ATVs, motorcycles, semi-



tractor trailers, farm tractors, road construction and road maintenance equipment.

Throughout this time period, the road was used daily.

4. Throughout the time period from 1965 to 2006, I have used the road myself for recreation such as hunting, sight-seeing, traveling in and through the area, ATV riding, government access, wood gathering and livestock operations.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph.

6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s or earlier and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed the graded surface of the road.

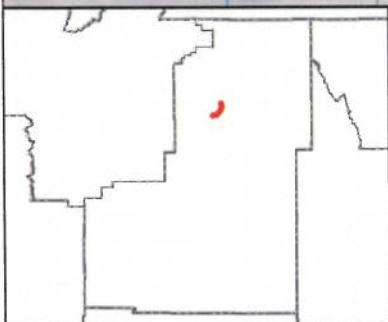
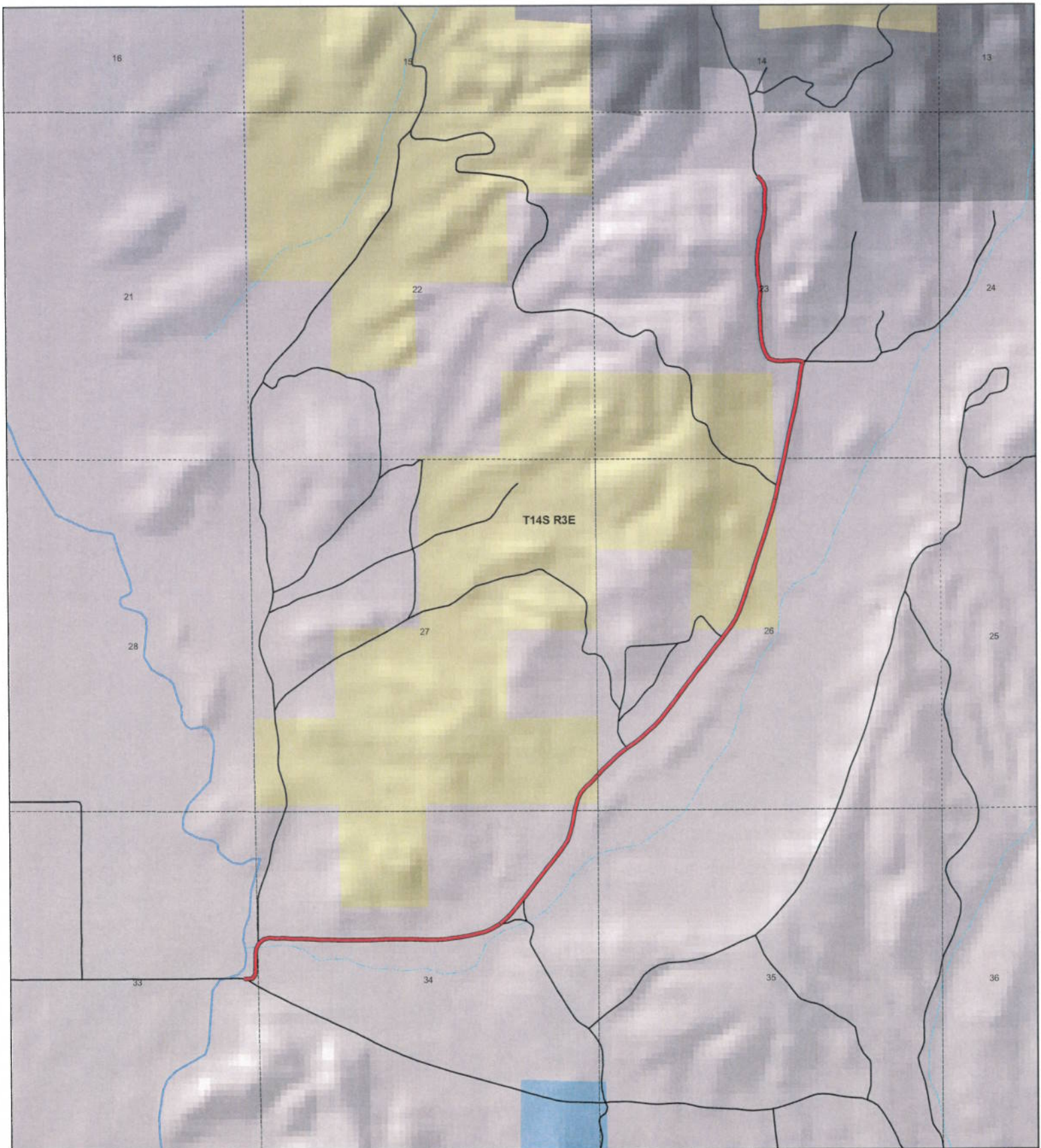
DATED this 13 day of March, 2007.

  
LEONARD M. BLACKHAM

SUBSCRIBED AND SWORN to before me this 13<sup>th</sup> day of March, 2007.

  
NOTARY PUBLIC





### APPLE TREE ROAD County Unique - Sanp99

#### Land Ownership Categories

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ State Parks and Recreation
- ◆ Military

#### Transportation Network

- APPLE TREE ROAD
- State / U.S. Highway
- Local Roads

#### Misc

- City / Town
- Municipalities



1:23,455

1 inch equals 0.4 miles



Map prepared by the State of Utah  
AGRC  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Feb 08, 2007



Ent 154885 Bk 0570 Sh 0835



## Appendix A to Attachment 4

**Popular Name: APPLE TREE ROAD**

**County: Sanpete**

**County Road Number: Sanp99**

**State Geographic Information Database (SGID) Road Identification Number: RD200287.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.1 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 14 South Range 3 East, Section(s) 27, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (APPLE TREE ROAD)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 39 degrees 33 minutes 52.03 seconds North Latitude and -111 degrees 33 minutes 58.23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,621,761.0 feet and Y = 7,010,088.2 feet; thence the following courses along the said road center line:

thence North 14 Degrees 40 Minutes 09 Seconds East 0.1 feet

thence North 14 Degrees 35 Minutes 32 Seconds East 57.4 feet

thence North 26 Degrees 10 Minutes 26 Seconds East 115.5 feet

thence North 39 Degrees 50 Minutes 02 Seconds East 118.1 feet

thence North 46 Degrees 49 Minutes 09 Seconds East 118.2 feet

thence North 43 Degrees 49 Minutes 12 Seconds East 123.5 feet

thence North 44 Degrees 40 Minutes 54 Seconds East 16.2 feet

thence North 44 Degrees 40 Minutes 54 Seconds East 0 feet more or less to **the ending point**

**at:** 39 degrees 33 minutes 056.3 seconds North Latitude and -111 degrees 33 minutes 054.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,622,085.2 feet and Y = 7,010,519.7 feet.



## Appendix B to Attachment 4

**Popular Name: APPLE TREE ROAD**

**County: Sanpete**

**County Road Number: Sanp99**

**State Geographic Information Database (SGID) Road Identification Number: RD200287.**

**Road-Segment Number: 004**

**Road-Segment Length: 0.4 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 14 South Range 3 East, Section(s) 26, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (APPLE TREE ROAD)-- Segment 004 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 39 degrees 34 minutes 018.4 seconds North Latitude and -111 degrees 33 minutes 28.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,624,092.2 feet and Y = 7,012,754.7 feet; thence the following courses along the said road center line:

thence North 37 Degrees 07 Minutes 57 Seconds East	38.7 feet
thence North 32 Degrees 26 Minutes 31 Seconds East	134.6 feet
thence North 24 Degrees 49 Minutes 44 Seconds East	130.5 feet
thence North 19 Degrees 47 Minutes 39 Seconds East	124.1 feet
thence North 17 Degrees 58 Minutes 23 Seconds East	124.4 feet
thence North 17 Degrees 45 Minutes 03 Seconds East	130.1 feet
thence North 18 Degrees 07 Minutes 00 Seconds East	135.9 feet
thence North 17 Degrees 25 Minutes 34 Seconds East	137.8 feet
thence North 17 Degrees 44 Minutes 01 Seconds East	139.8 feet
thence North 17 Degrees 49 Minutes 34 Seconds East	143.3 feet
thence North 17 Degrees 44 Minutes 01 Seconds East	139.8 feet

thence North 17 Degrees 38 Minutes 11 Seconds East 136.3 feet

thence North 17 Degrees 43 Minutes 08 Seconds East 134.6 feet

thence North 16 Degrees 57 Minutes 47 Seconds East 139.2 feet

thence North 15 Degrees 52 Minutes 44 Seconds East 143.5 feet

thence North 14 Degrees 06 Minutes 08 Seconds East 142.3 feet

thence North 12 Degrees 40 Minutes 33 Seconds East 13.1 feet

thence North 12 Degrees 45 Minutes 38 Seconds East 0 feet more or less to **the ending point**

**at:** 39 degrees 34 minutes 37.83 seconds North Latitude and -111 degrees 33 minutes 19.78 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,624,775.0 feet and Y = 7,014,720.3 feet.